

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PMI NEBRASKA LLC,

Plaintiff,

vs.

DAVID NORDHUES, et al.,

Defendants.

4:18-CV-3126

ORDER

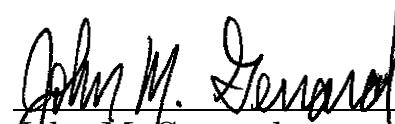
This matter is before the Court on the defendants' Notice of Removal ([filing 1](#)) and the plaintiff's state-court motion for temporary injunction ([filing 1-2](#)). Neither [28 U.S.C. § 1441 et seq.](#) nor the Federal Rules of Civil Procedure provide for motions pending and undecided in state court before removal to remain pending in the removed action in federal court.

It is this Court's practice, for the sake of clarity and consistency, not to consider motions that are pending and undecided in the state court at the time of removal, unless and until a party refiles the motion in federal court in conformity with federal practice requirements. In particular, because the defendant has been notified of the action, any request from the plaintiff for preliminary injunctive relief should be filed in federal court pursuant to [Fed. R. Civ. P. 65\(a\)](#).

IT IS SO ORDERED.

Dated this 7th day of September, 2018.

BY THE COURT:



John M. Gerrard  
United States District Judge